

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SANDRA E. FLUCK,	)	
	)	
Plaintiff,	)	
	)	C. A. No. 06-188-GMS
v.	)	
	)	
BELLA VISTA DEVELOPMENT, LLC,	)	
a Virginia corporation, BELLA VISTA	)	TRIAL BY A JURY DEMANDED
TOWNHOME CONDOMINIUM	)	
ASSOCIATION, INC., a Delaware	)	
Corporation, RESORT REALTY GROUP,	)	
INC., a Delaware corporation, WILLIAM J.	)	
MITCHELL, individually, and WAYNE	)	
MITCHELL, individually,	)	
	)	
Defendants.	)	

**DEFENDANT RESORT REALTY GROUP, INC.'S MOTION TO EXTEND TIME**

Defendant Resort Realty Group (Defendant Resort), by and through its undersigned counsel, hereby moves this Court for an Order extending the time to file a Reply in support of its motion in limine, and in support thereof states the following:

1. On September 6, 2007, Defendant Resort filed a motion in limine seeking to exclude portions of the testimony of Lawrence C. Dinoff, as well as testimony relating to the replacement of the paver step at Unit 5 of Building A (hereinafter "the paver step") subsequent to the Plaintiff's alleged injuries.

2. On Thursday, September 13, 2007, Plaintiff filed her Response to Defendant Resort's motion in limine, a Reply to which is due from Defendant Resort on Thursday, September 20, 2007.

3. On the evening of September 13, 2007, undersigned counsel Thomas R. Riggs' mother

passed away, funeral services for whom were held on Monday, September 17, 2007.

4. Undersigned counsel Robert K. Pearce is involved in complex depositions in another matter which are expected to take most of the day on Thursday, September 20, 2007 and Friday, September 21, 2007.

5. For the aforementioned reasons, counsel for Defendant Resort will be unable to adequately research and prepare the Reply by September 20, 2007.

6. Counsel for Plaintiff has agreed to extend the deadline to file a Reply to Monday, September 24, 2007.

WHEREFORE, Defendant Resort respectfully requests this Court extend the deadline to file its Reply in support of its motion in limine to September 24, 2007.

FERRY, JOSEPH & PEARCE, P.A.

/s/Robert K. Pearce  
ROBERT K. PEARCE, ESQ. (I.D. No. 191)  
THOMAS R. RIGGS, ESQ. (I.D. No. 4631)  
824 Market Street, Suite 904  
Wilmington, DE 19899  
(302) 575-1555  
rpearce@ferryjoseph.com  
Attorneys for Defendant  
Resort Realty Group, Inc.

Dated: September 19, 2007

**CERTIFICATE OF SERVICE**

I, Robert K. Pearce, Esquire do hereby certify that on September 19, 2007 I electronically filed the foregoing *Defendant Resort Realty Group, Inc. 's Motion to Extend Time* with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

Jennifer S. Donahue, Esquire  
Andrea G. Green, Esquire  
Doroshow, Pasquale, Krawitz & Bhaya  
213 E. DuPont Highway  
Millsboro, DE 19966

Stephen P. Casarino, Esquire  
Casarino, Christman & Shalk, P.A.  
800 N. King Street  
Wilmington, DE 19801

Roger A. Akin, Esquire  
Akin & Herron, P.A.  
1500 Shallcross Avenue  
Suite 1-A  
Wilmington, DE 19806

Carol J. Antoff, Esquire  
Christiana Executive Campus  
131 Continental Drive, Suite 407  
Newark, DE 19713

/s/Robert K. Pearce  
ROBERT K. PEARCE, ESQUIRE  
I.D. No. 191

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MITCHELL, individually,	)	
	)	
Defendants.	)	

**ORDER**

AND NOW, TO-WIT, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, the foregoing Motion to Extend Time having been presented to and considered by the Court,

IT IS HEREBY ORDERED that the motion is GRANTED, and the deadline for Defendant Resort Realty Group, Inc. to file its Reply in Support of its Motion in Limine is extended to September 24, 2007.

\_\_\_\_\_  
The Honorable Gregory M. Sleet  
United States District Court Judge